

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WINN-DIXIE STORES, INC. and BI-LO	:	
HOLDING, LLC,	:	
	:	
Plaintiffs	:	14-MD-2542 (VSB)
	:	21-CV-7504 (VSB)
	:	
-against-	:	
	:	
KEURIG GREEN MOUNTAIN INC., et al.,	:	<u>ORDER AND NOTICE OF</u>
	:	<u>INITIAL CONFERENCE</u>
	:	
Defendants.	:	
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VERNON S. BRODERICK, United States District Judge:

This case has been assigned to me for all purposes. It is hereby:

ORDERED that, in light of the public health crisis, the Court will not be holding an initial pretrial conference.

IT IS FURTHER ORDERED that the parties meet and confer to determine whether and to what extent discovery that has already taken place in the multi-district litigation, *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litig.*, 1:14-md-02542-VSB, can be used in this case.

IT IS FURTHER ORDERED that by February 4, 2022, the parties submit a joint letter, not to exceed three (3) pages, outlining their plan for discovery and providing the following information in separate paragraphs:

1. A brief description of the nature of the action and the principal defenses thereto;
2. A brief explanation of why jurisdiction and venue lie in this Court. If any party is a corporation, the letter shall state both the place of incorporation and the principal place of business. If any party is a partnership, limited partnership, limited liability company or trust, the letter shall state the citizenship of each of the entity's members, shareholders, partners and/or trustees;

3. A brief description of all contemplated and/or outstanding motions;
4. A brief description of any discovery that has already taken place, and/or that which will be necessary for the parties to engage in meaningful settlement negotiations;
5. A brief description of prior settlement discussions (without disclosing the parties' offers or settlement positions) and the prospect of settlement;
6. The estimated length of trial; and
7. Any other information that the parties believe may assist the Court in advancing the case to settlement or trial, including, but not limited to, a description of any dispositive issue or novel issue raised by the case.

IT IS FURTHER ORDERED that the parties also jointly submit to the Court a proposed case management plan and scheduling order. A template for the order is available at <http://nysd.uscourts.gov/judge/Broderick>. The status letter and the proposed case management plan should be filed electronically on ECF, consistent with Section 13.1 of the Court's Electronic Case Filing (ECF) Rules & Instructions, available at <https://nysd.uscourts.gov/rules/ecf-related-instructions>.

SO ORDERED.

Dated: January 20, 2022
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, flowing style.

Vernon S. Broderick
United States District Judge